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PATENT
Customer No. 22,852
Attorney Docket No. 05552-1442

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Ralf OTTO et al.) Group Art Unit: 1743
Application No.: 09/551,581) Examiner: B. Gordon
Filed: April 18, 2000) Confirmation No. 1852
For: CLOSURE APPLIANCE FOR)
REAGENT CONTAINERS)

Mail Stop Issue Fee

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicants provide the following comments on the Examiner's statement of reasons for allowance attached to the Notice of Allowability mailed on October 4, 2004. The Examiner states on page 3 that the "prior art of record does not teach [the] structure for translating movement includes means for moving the plunger in a downward direction in response to the movement of the pipetting needle carrier in an upwards direction (claim 7) nor the limitations of claim 11 (see previous office action)."

Applicants would like to clarify that the statement "prior art of record does not teach [the] structure for translating movement includes means for moving the plunger in a downward direction in response to the movement of the pipetting needle carrier in an upwards direction" only applies to claim 7 and its respective dependent claims, and that

the comments set forth on page 5 of the final Office Action mailed December 17, 2003 only apply to claim 11 and dependent claims 9, 14, and 15.

Moreover, with respect to the comments set forth on page 5 of the final Office Action mailed December 17, 2003, Applicants would like to again clarify that with respect to claims 9, 14, and 15, none of these claims recite a translating movement structure that includes "a thrust plate and a catch member, wherein the thrust plate is engagable with the plunger, and wherein the catch member is connected to a means for driving the pipetting needle carrier, such that movement of the pipetting-needle carrier in a first direction results in movement of the catch member and thrust plate in a second direction opposite the first direction."

With respect to claim 11, Applicants would like to clarify that claim 11 does not recite a structure for translating movement that "includes two rocker arms and a stop rod, the stop rod also being connected to and positioned between the two rocker arms, the stop rod also being connected to the pipetting-needle carrier, such that the stop rod moves with the pipetting-needle carrier."

Please grant any extensions of time required to enter these comments and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 16, 2004

By:


Michael W. Kim
Reg. No. 51,880